

Categorical Exclusion Documentation

Title of Proposed Action: <i>Assignment of 50% Interest from ORNI 42 LLC to ORNI 49 LLC, NVN-092746</i>	
Field Office: Tuscarora Field Office	NEPA No: NV-BLM-NV-E020-2015-0002-CX
Type of Action (Subject Code): 2800	Case File No.: NVN092746
Lead Preparer: Elisabeth Puentes	Proposal Date: 9/18/2014
Location (Attach map(s)) County: Legal Description: T39N R53E Section 35 – NESW. Applicant (if any): ORNI 42, LLC	
A. Description of Proposed Action ORNI 42, LLC is requesting to assign (or “transfer”) 50% interest to ORNI 49, LLC in their existing underground fiber optic telecommunications line Right-of-Way (ROW) Grant NVN092746 to create a co-tenancy between the two entities. The ROW was originally issued on 8/4/2014 and construction took place this past summer. There will be no new construction or disturbance.	
B. Land Use Plan Conformance This proposed action has been reviewed for conformance with the following applicable resource management plan (RMP) and/or amendment(s) (43 CFR 1610.5; BLM Manual Section 1617.3): <input type="checkbox"/> Wells RMP , approved 7/16/1985 <input type="checkbox"/> Wells RMP Elk Amendment , approved 2/14/1993 <input type="checkbox"/> Wells RMP Wild Horse Amendment , approved 2/2/1993 <input checked="" type="checkbox"/> Elko RMP , approved 3/11/1987 <input type="checkbox"/> Elko RMP Wild Horse Amendment , approved 10/15/2003 <input type="checkbox"/> Elko and Wells RMPs Fire Management Amendment , approved 9/29/2004	
C. Compliance with the National Environmental Policy Act (NEPA) This proposed action qualifies as a categorical exclusion (CX) under the Departmental NEPA Manual (516 DM), and has been reviewed to determine if any of the extraordinary circumstances as listed in 516 DM 2, Appendix 2, apply (<i>see next page</i>). The applicable CX is: 516 DM 11.9, CX #: E.9 Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.	
D. Conclusion and Signature Based upon this review, I have determined that the Proposed Action, as described, is in conformance with the land use plan and meets criteria for the selected CX. There is no potential for significant impacts. Therefore, the action is excluded from further environmental analysis and documentation. Authorizing Official: <u>/s/Deborah McFarlane</u> Date: <u>11/5/2014</u> Title: Manager (Office or Division) name	

Note: A separate decision document must be prepared for the action covered by the CX.

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All of the following questions must be answered negatively before the Categorical Exclusion may be approved. This checklist is taken from 516 DM 2, Appendix 2.

	Screening for Extraordinary Circumstances	Yes	No
1.	<i>Will this project</i> have significant adverse effects on public health or safety?		X
2.	<i>Will this project</i> adversely affect such unique geographic characteristics as:		
	• historic or cultural resources;		X
	• park, recreation or refuge lands, wilderness areas, wild or scenic rivers;		X
	• sole or principal drinking water aquifers;		X
	• prime farmlands, wetlands, flood plains,		X
	• or ecologically significant or critical areas, including those listed on the Department of the Interior's National Register of Natural Landmarks?		X
3.	<i>Will this project</i> have highly controversial environmental effects?		X
4.	<i>Will this project</i> have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
5.	<i>Will this project</i> establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
6.	<i>Will this project</i> be related to other actions with individually insignificant but cumulatively significant environmental effects?		X
7.	<i>Will this project</i> have adverse affects on properties listed or eligible for listing on the National Register of Historic Places?		X
8.	<i>Will this project</i> have adverse effects on species listed or proposed to be listed on the List of Threatened or Endangered Species, or have adverse affects on designated Critical Habitat for these species?		X
9.	<i>Will this project</i> require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X
10.	<i>Will this project</i> threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?		X
11.	<i>Will this project</i> limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites? (Executive Order 13007 – Sacred Sites)		X
12.	<i>Will this project</i> contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?		X

Reviewers and Comments

Specialist:	Reviewed by:	Comment	Surname
AFM-Non- Renewable	Deb McFarlane	None	DNM 11/4/14
AFM- Renewable	Melanie Mirati	None	MM 11/5/14
Biologist			
Recreation Planner			
Hydrologist/Soil Scientist			
Weed Specialist			
Rangeland Specialist			
P&EC		LUP Conformance & CX Confirmation	

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YOU MAY USE THIS PAGE FOR ATTACHMENT(s)

How to Use this Template

This template is for use by the Project Lead assigned to complete NEPA Compliance for a proposal. The 2-page form that follows, together with any attachments necessary to plan and implement a project, serves as internal documentation that the proposed action qualifies to be categorically excluded from preparation of an EA or EIS.

1. *If you have opened this file from the locally shared Elko District Office(dfs) drive (the NEPA, Elko Guides folder), choose **File**, then **Save As** and **rename** the file to your own directory.*
2. *You, as the Preparer (or Project Lead) for a given proposal, are responsible for physically routing the hard copy of this record, along with any information that you attach, to assigned specialists, the P&EC and the responsible official (your Field or Division Manager) for signature.. Information you should **attach** to this record may include a more detailed **Preliminary Project Description** (with environmental design features) and a **project map**. For externally generated proposals, refer to any application received.*
3. *As you type information in this template, **remove all italicized text**.*
4. *You, as the Preparer of this record, are not responsible for filling in all of the blanks. For example, leave the **NEPA Register #** blank for the P&EC to write in, once you have routed this record with attachments for internal review by resource specialists.*
5. *Once you have initially completed this form, print a hard copy and consult your Division Manager/supervisor and the P&EC. The responsible manager will then screen the proposal with other District Leadership Team (DLT) members and assign ID team reviewers.*
6. *At this point in the Elko District Office Steps to NEPA Compliance, you have completed the Proposal Screening process and obtained Manager direction. You should create the Project File (Step I.5). Concurrently, you have completed steps 1 through 3 for Using Categorical Exclusions, and can proceed with conducting the CX Review (Step II.4)*
7. *Route and obtain review comments of your ID team specialists. As you obtain surnames, add comments from a reviewers in space left for the brief description of the proposed action (Page 1 of the record), or in the table (on page 2). If more space is needed by anyone, keep their comment or explanation with this record.*
8. *If necessary based on review by specialists, update (finalize) the Project Description (on Page 1 or the attachment) to incorporate practical environmental design features.*
9. *Submit the finalized documentation to the P&EC to log this CX into the NEPA Register. Then submit it to the responsible manager to sign.*
10. *File the signed, original record (with finalized attachments and any supporting records from specialists) in the project file.*
11. *The Elko District P&EC also maintains an electronic NEPA Library, currently on our dfs. Either scan the document (with attachments), or type in signature (/s/) and date information to the completed CX and convert the Word document(s) to a pdf. Your completed CX (w/ any attachment and map) should be added to a folder in the NEPA Library for the fiscal year (eg., FY 09 CXs). File names begin with the chronological NEPA number assigned by the P&EC (eg., 09-22).*
12. *This completes the NEPA compliance documentation process (Step II.7). Proceed to issue, implement and monitor the decision, as planned and described and in accordance with program-specific direction for the action.*

Please note: A CX Review Record is not subject to 'review' by other agencies or the public. To involve others as you plan a project, provide a "Preliminary" Project Description. The resulting decision should be issued as a separate document, which may or may not need to be distributed outside of BLM for appeal.

Do NOT print, route and file your CX record with this instruction page. Instead, select and cut this table box from your renamed file (see instruction 1 above). See also # 11 above for naming and placing the finalized file with any attachments in the Elko District electronic NEPA Library.